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December 2004

Young & Thompson 745 South 23<sup>rd</sup> Street 2<sup>nd</sup> Floor Arlington, VA 22202

DEC 20 2004

In re Application of:

Albert Kohen et al.

Serial No.: 10/018,993 Filed: May 17, 2002

Attorney Docket No.: BIF 103907/US

**DECISION ON PETITION TO** WITHDRAW THE HOLDING

OF ABANDONMENT

This is a decision on the petition to withdraw the holding of abandonment under 37 C.F.R. § 1.181(a) filed on July 12, 2004. There is no fee for this petition.

## The petition is **GRANTED**.

Although a notice of abandonment was never mailed, this application was noted to be abandoned in PALM on September 3, 2004. An Office action was mailed on December 17, 2003. The application was presumably abandoned for failure to file a proper reply to the Office action mailed on December 17, 2003.

Petitioner asserts that the Office action was never received. It is clear that the Office action was never received because it was mailed to an incorrect address. On January 12, 2004, the Office action was returned to the USPTO from the law firm located at the incorrect address. It was returned with a note stating "(e)nclosed please find document listed below that was mailed to our firm which does not appear to belong to us." A review of the present file indicated that the correspondence address was improperly changed due to some documents that were inappropriately matched with the present file. The wrong inventors were also incorrectly listed due to these inappropriately matched documents. These documents have been removed from the present file and matched with their correct file. The correspondence address and the inventors associated with the present file have been corrected.

For the above stated reason, the petition is granted and the holding of abandonment is WITHDRAWN.

The Office action of December 17, 2003 will be remailed to the correct correspondence

address restarting the time period for response. The facsimile and telephone numbers as well as other contact information on the Office action has been updated in ink.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.

Richard K. Seidel, Director Technology Center 2800

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